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C O N F I D E N T I A L KATHMANDU 002589

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TAGS: [MARR](#) [MASS](#) [PGOV](#) [PHUM](#) [PINS](#) [NP](#)

SUBJECT: SECRETARY OF DEFENSE ASSERTS MINISTRY'S CONTROL OF ARMY

REF: A. KATHMANDU 1376

[¶](#)B. KATHMANDU 2491
[¶](#)C. KATHMANDU 2104

Classified By: Ambassador James F. Moriarty. Reasons 1.4 (b/d).

SUMMARY

[¶](#)1. (C) Ministry of Defense Secretary Upreti invited Office of Defense Cooperation (ODC) Chief to a meeting on September 18 to learn more about U.S.- Nepal security assistance and agreements. ODC Chief emphasized U.S. security assistance hinged on the promotion of human rights. He asked if the Ministry planned to respond to the UN report on the alleged gross human rights violations in 2003 at the NA's Maharajgunj Barracks (Ref A). He also asked if Upreti planned to respond to allegations regarding new Chief of Army Staff General Katawal's use of excessive force during the people's movement in April 2006. Upreti stated that the Ministry had prepared a report on the Maharajgunj Barracks, which he would discuss with Parliament before its public release. He said he had no plans to respond to criticism of Katawal's appointment. Regarding the delivery of Excessive Defense Articles (EDA), Upreti indicated that he would have the Prime Minister sign the delivery contract first before returning it to the Embassy (Refs B,C).

MINISTRY OF DEFENSE SECRETARY EAGER TO LEARN ABOUT NA

[¶](#)2. (C) Secretary Bishnu Dutta Upreti told Office of Defense Cooperation (ODC) Chief in an office meeting on September 18 that he intended to learn all there is to know about the NA, "from the grassroots to the top," because the Ministry of Defense was now responsible for NA management. He lamented that, when the King was in control of the Royal Nepalese Army, the Ministry had little access to information and a limited mandate, due to weak communication between the Ministry and the Palace Secretariat. He was determined to change that situation to ensure the Ministry could fulfill its new responsibilities. He expressed a strong interest in participating in an upcoming visitors conference on civilian - military relations that the Public Affairs Section has organized. He also questioned ODC Chief about a written agreement between the U.S. Army and the Royal Nepalese Army

or the former Government of Prime Minister Deuba expressing unity in the fight against terrorism. (N.B.: Post has no record of any such agreement.)

MINISTRY'S RESPONSE TO HUMAN RIGHTS ALLEGATIONS

¶13. (C) ODC Chief inquired if the Ministry planned to issue a public statement on the UN Office of the High Commissioner for Human Rights June 2006 report regarding the allegations of torture and the disappearance of 49 people at the NA Maharaunj Barracks in 2003. Upreti explained that the Ministry had prepared a high-level investigation report, but that he needed to present it to the Human Rights Committee of Parliament before its public release. He expected to do so in the next few days, before the House went on recess. He stated that he did not, however, plan to make a public statement regarding General Katawal's appointment, despite allegations of his excessive use of force during the people's movement in April. Upreti explained that General Katawal's promotion to General and appointment as Chief of Army Staff had the Prime Minister's and the Cabinet's approval. He thought it would be inappropriate for the Ministry to now start answering questions regarding his qualifications. Further, he stated that much of the criticism was Maoist-inspired, and he did not want to dignify the insurgent scheme with a public response.

EDA DELIVERY GETS POLITICAL

¶14. (C) Secretary Upreti informed ODC Chief that he intended to obtain the Prime Minister's signature on the agreement for the U.S. delivery of non-lethal EDA and would then deliver the agreement to Post. ODC Chief explained the time

sensitivity of the delivery and the need for it to take place before the end of September, noting that the agreement did not require the PM's signature. Upreti recognized that the signature was not necessary, but explained that he wanted the PM's approval considering the recent political implications of any security assistance-related delivery, such as the Maoist-orchestrated general strike on September 13 in response to India's alleged delivery of weapons to the NA (Ref B).

COMMENT

¶15. (C) Upreti's eagerness to learn about the Nepal Army and U.S. security assistance and to assert civilian control is a positive development. Post will continue its engagement with the Ministry of Defense to help strengthen the institution and its personnel. We also intend to look for an opportunity to send the Defense Secretary to the United States in FY 07. While Post understands the sensitivity surrounding military equipment deliveries, Post hopes the Government of Nepal (GON) does not allow the fear of Maoist objections to interfere with U.S. EDA delivery. Doing so would only serve as yet another concession to the Maoists at a time when the GON should instead be strengthening its security forces and providing law and order to the people of Nepal.

MORIARTY